

REMARKS

In the Office Action dated March 18, 2004, the Examiner rejected claims 1-18 as being anticipated by U.S. 6,243,811 to Patel ("Patel"). As described in the present application, the key update system can reduce communications between a home communications system and a visiting communications system by sending the update key to the visiting communications system while maintaining the communications key at the home communication system. Because the visiting communications system has the update key, the visiting authentication system can generate the signature value using the update key at the visiting communications system to authenticate the unit and/or the communications system. Independent claim 1 requires a "a signature value ... which was generated by said visiting communication system using an update key derived by a home communication system." Independent claims 7, 13, 15, 16, 17 and 18 contain analogous limitations.

Patel does not describe this limitation. At col. 4, line15-19, Patel states that "[a]s shown, the VLR 15 merely acts as a conduit for communication between the AC/HLR 10 and the mobile 20. More specifically the authentication protocol according to the present invention is performed between the AC and the mobile 20." As such, the visiting communications system does not generate the signature value using the update key derived by a home communication system. Unlike the claimed invention, the signature value is generated at the home communication system, namely the AC/HLR 10. Thus, in view of the above, the applicant respectfully requests reconsideration and allowance.

Furthermore, the applicant respectfully reminds the Examiner against any rejections based on Patel under 35 U.S.C. section 103(a). 35 U.S.C. section 103(c) (1999)(LEXIS) was amended to read:

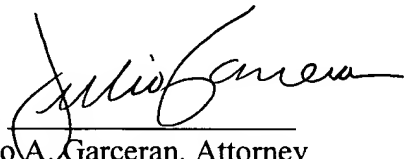
(c) Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f) and (g) of section 102 of this title, shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.

Patel is prior art under 35 U.S.C. section 102(e), and the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. In the present case, both Patel and the present application are assigned to Lucent Technologies Inc..

In the event of any fees inadvertently omitted or any improper payment of fees, the Commissioner is hereby authorized to charge or credit Lucent Technologies Deposit Account No.12-2325 to correct the error now or during the pendency of this application.

If the Examiner has any questions or feels that a telephone conversation would be helpful, please contact Julio Garceran at (973) 386-2286.

Respectfully submitted,
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Lucent Technologies Inc.

Date: 6/15/04